

Case Name: _____ Case Number: _____ CV - _____ (____) (MMH)

PROPOSED DISCOVERY PLAN/SCHEDULING ORDER

| | DONE | NOT APPLICABLE | DATE |
|---|------|-------------------|------|
| A. ACTIONS REQUIRED <u>BEFORE</u> THE INITIAL CONFERENCE | | | |
| 1. Rule 26(f) Conference held | | | |
| 2. Rule 26(a)(1) disclosures exchanged | | | |
| 3. Requested: | | | |
| a. Medical records authorization | | | |
| b. CPL § 160.50 releases for arrest records | | | |
| c. Identification of John Doe/Jane Doe defendants | | | |
| 4. Procedures for producing Electronically Stored Information (ESI) discussed | | | |
| 5. Protective Order to be submitted for court approval (see Standing Protective Order on the Chambers website) | | | |
| B. SETTLEMENT PLAN | | | |
| 1. Plaintiff to make settlement demand | | | |
| 2. Defendant to make settlement offer | | | |
| 3. Referral to EDNY mediation program pursuant to Local Rule 83.8? (If yes, enter date for mediation to be completed) | | | |
| 4. Settlement Conference (proposed date) | | | |
| C. PROPOSED DEADLINES | | | |
| 1. Motion to join new parties | | | |
| 2. Motion to amend pleadings | | | |
| 3. Initial documents requests and interrogatories | | | |
| 4. All fact discovery to be completed (including disclosure of medical records) | | | |
| 5. Joint status report certifying close of fact discovery and indicating whether expert discovery is needed | | | |

| | | | |
|--|--|--|-----------------------|
| 6. Expert discovery (only if needed) | | <i>Check here if not applicable</i> <input type="checkbox"/> | |
| Plaintiff expert proposed field(s) of expertise: | | | |
| Defendant expert proposed field(s) of expertise: | | | |
| | | DONE | NOT APPLICABLE |
| a. Affirmative expert reports due | | | |
| b. Rebuttal expert reports due | | | |
| c. Depositions of experts to be completed | | | |
| 7. Completion of ALL DISCOVERY (if different from C.4) | | | |
| 8. Joint status report certifying close of ALL DISCOVERY and indicating whether dispositive motion is anticipated | | | |
| 9. If any party seeks a dispositive motion , date to a. file request for pre-motion conference (if required), or b. file briefing schedule for the motion | | | |
| 10. Proposed Joint Pre-Trial Order due (if no dispositive motion filed) | | | |

D. CONSENT TO MAGISTRATE JUDGE JURISDICTION

| | | |
|--|--|---|
| 1. All parties consent to Magistrate Judge jurisdiction for dispositive motions? | | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| 2. All parties consent to Magistrate Judge jurisdiction for trial? | | <input type="checkbox"/> Yes <input type="checkbox"/> No |

E. COLLECTIVE ACTION AND CLASS ACTION MOTIONS ONLY

| | | | |
|---|--|--|--|
| 1. Motion for collective action certification in FLSA cases | | | |
| a. Response due | | | |
| b. Reply due | | | |
| 2. Motion for Rule 23 class certification | | | |
| a. Response due | | | |
| b. Reply due | | | |

This Scheduling Order may be altered or amended only upon a showing of good cause based on circumstances not foreseeable as of the date of this order.

SO ORDERED:

MARCI A. HENRY
United States Magistrate Judge

Date